

Michigan Judges Association

Founded 1927

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April 18, 2023

ELECTRONICALLY SUBMITTED

Re: ADM File 2022-03: Proposed Amendments of Rule 1.109

The Michigan Judges Association

The Board voted unanimously to support the proposed amendments of Rules 1.109 with changes. The proposed changes are as follows:

ADM File No. 2022-03: Proposed Amendment of MCR 1.109(D)(1)(b)(ii) and (v):

(1) Form and Captions of Documents.

(a) [Unchanged.]

(b) The first part of every document must contain a caption

stating:

(i) [Unchanged.]

(ii) the names of the parties, the title of the action or proceeding subject to (c), **and if the party so elects, may also include personal pronouns [he/him, she/her, they/them] in the name section of the caption. Courts shall use the individual's name, the designated personal pronouns, or other respectful means of addressing the individual.**

(iii) [Unchanged.]

(iv) [Unchanged.]

(v) the name, business address, telephone number, and state bar number of each attorney appearing in the case; **and if the attorney so elects, may also include personal pronouns [he/him, she/her, they/them] of the attorney appearing in the case. Courts shall use the individual's name, the designated personal pronouns, or other respectful means of addressing the individual.**

(vi) [Unchanged.]

These changes support the intent of the rule to ensure procedural fairness by creating an environment where all participants feel they are treated with courtesy and respect, while protecting against potential abuses by persons wishing to cause disruption in court proceedings or those who would seek to confuse the record or jurors. Our proposed changes will preserve a judge's discretion to maintain the dignity of the courtroom while protecting the record.

Respectfully Submitted,



Honorable Michelle Rick
President, MJA